

REMARKS

Reconsideration and allowance of this application are respectfully requested in light of the above amendments and the following remarks.

Claim 8 has been amended. Support for this amendment is provided for example in paragraph [0034] of Applicants' published specification. (It should be noted that references herein to the specification and drawings are for illustrative purposes only and are not intended to limit the scope of the invention to the referenced embodiments.)

Claims 8, 10, 11, and 14 were rejected, under 35 USC §102(e), as being anticipated by Blakeney II et al. (US 2006/0239363). Claim 9 was rejected, under 35 USC §103(a), as being unpatentable over Blakeney in view of Bakshi (US 6,457,054). Claims 12 and 13 were rejected, under 35 USC §103(a), as being unpatentable over Blakeney in view of Melick et al. (US 7,376,194). The Applicants respectfully traverse these rejections based on the points set forth below.

Claim 8 defines a communication apparatus that (1) every time information data is transmitted, transmits a link establishment request so as to establish a link each time information data is transmitted and (2) transmits a link establishment request for transmission of next information data before termination of a link for transmitting current information data. The claimed subject matter supports an advantage of enhancing the average transmission rate while preventing deterioration of the accuracy of information communication (see paragraph [0007] of Applicants' published specification).

Blakeney discloses a mobile station that initiates a traffic channel connection by communicating an origination message, which is indicative of a desired service configuration, to

a base station, which determines whether to accept the requested service configuration (see Blakeney paragraphs [0063]-[0064]). The mobile station and base station negotiate back and forth until a mutually acceptable service configuration is found or the channel connection is dropped (see paragraph [0066], last nine lines). The service negotiation is conducted without interrupting a current service in progress (see paragraph [0071], first three lines).

The Office Action proposes that Blakeney's disclosure of initiating a traffic channel connection provides a communication apparatus that (1) establishes a link each time information data is transmitted by transmitting a link establishment request every time information data is transmitted and (2) transmits a link establishment request for subsequent information data before a current data transmission link is terminated (see Office Action page 3, lines 15-21).

However, Blakeney's disclosure of initiating a channel connection is not the same as the Applicants' claimed subject matter of establishing a link each time information data is transmitted by transmitting a link establishment request before a current data transmission link is terminated. More specifically, in the Applicants' claims, after transmission of information data, the operation of establishing a link for the next information data is started without waiting for the reception of a response for the preceding information data so that a link is established each time data is transmitted and prior to termination of the current link (see paragraphs [0008] and [0034] of the published specification).

Blakeney's origination message only establishes a channel connection between a mobile station and a base station. Blakeney does not disclose or even hint at the Applicants' claimed subject matter of establishing a link each time information data is transmitted by transmitting a link establishment request (for the next information data transmission) every time information

data is transmitted. That is, Blakeney does not disclose or suggest the Applicants' claimed feature of a relationship between a current link establishment and the repeated transmission of information data via subsequently established links.

Blakeney also teaches a request message that requests a change of service configuration without terminating the current channel connection (see Blakeney, paragraph [0016]). However, Blakeney only discloses transmitting through a current channel connection a request message that applies to the current connected channel, and does not in any way disclose or suggest an active relationship between a request message and a subsequent channel connection. Thus, this disclosure of Blakeney cannot be considered relevant to the Applicants' claimed subject matter of transmitting a link establishment request for a new link for transmission of subsequent information data before a current link for data transmission is terminated.

If Blakeney is relied upon for teaching the above-discussed limitations of claim 8 in a subsequent Office Action, the Examiner is requested to identify precisely what portion of Blakeney's disclosure is relied upon and moreover specify exactly how such disclosure is alleged to correspond to the Applicants' claimed features.

Accordingly, in view of the foregoing, the Applicants respectfully submit that Blakeney lacks the above-noted features of claim 8. Independent claim 14 similarly recites the above-mentioned subject matter distinguishing apparatus claim 8 from the applied references, but with respect to a method. Thus, it is submitted that the 35 USC 102 rejection of claims 8 and 14 is overcome. It is submitted that dependent claims 9-13 are allowable due to their dependence from allowable claim 8 and also due to their recitation of subject matter that provides an independent basis for their individual allowability.

In view of the above, it is submitted that this application is in condition for allowance, and a notice to that effect is respectfully solicited.

If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to telephone the undersigned at the local Washington, D.C. telephone number listed below.

Respectfully submitted,

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